



# **MINUTES OF THE COUNCIL MEETING**

**HELD ON**

**MONDAY, 15 FEBRUARY 2010**

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RELEASED TO THE PUBLIC ON THURSDAY 18 FEBRUARY 2010

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**MINUTES OF THE ORDINARY MEETING OF THE  
DAREBIN CITY COUNCIL HELD AT DAREBIN CIVIC CENTRE,  
350 HIGH ST, PRESTON ON MONDAY 15 FEBRUARY 2010**

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**THE MEETING OPENED AT 7.02 P.M.**

**1. PRESENT**

*Councillors*

Cr. Vince Fontana (Mayor)  
Cr. Diana Asmar  
Cr. Stanley Chiang  
Cr. Gaetano Greco  
Cr. Nick Katsis  
Cr. Tim Laurence  
Cr. Ben Morgan  
Cr. Trent McCarthy  
Cr. Steven Tsitas

*Council Officers*

Michael Ulbrick – Chief Executive Officer  
Geoff Glynn – Director Infrastructure  
Jan Black – Director Communities and Culture  
Bruce Dobson – Director Corporate Services  
Libby Hynes – Executive Manager, Environmental Sustainability  
Ray McQuillen – Manager Corporate Governance  
Ron Downes – Council Business Coordinator

**2. APOLOGIES**

Nil.

**3. DISCLOSURES OF CONFLICTS OF INTEREST**

Cr. Tsitas disclosed a conflict of interest in Report Item 10.1 (Right of Way (Road) Discontinuance adjoining 31 Jessie Street Northcote) - see Page 34.

**4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS**

**COUNCIL RESOLUTION**

**MOVED:** Cr. T. McCarthy  
**SECONDED:** Cr. D. Asmar

**THAT** the Minutes of the Ordinary Meeting of Council held on 1 February 2010 be confirmed as a correct record of business transacted.

**CARRIED**

## **5. REPORTS BY MAYOR AND COUNCILLORS**

### **MINUTE NO. 56**

#### **5.1 REPORT OF CR. STEVEN TSITAS**

Cr. Tsitas reported on his attendance at the following functions/activities:

- 30<sup>th</sup> Annual Greek Community of Northcote Festival.
- Local constituent issues.

#### **5.2 REPORT OF CR. TIM LAURENCE**

Cr. Laurence reported on his attendance at the following functions/activities:

- Preston Reservoir Progress Association meeting.  
Arising from his attendance at the meeting, Cr. Laurence gave notice of his intention to move an appropriate motion under “General Business” later in the Council meeting.
- Meeting with Northern Region Indian Seniors’ Association to discuss matters relating to welcoming Indian students.
- Joint meeting between Cricket Australia and the Federation of Indian Students of Australia in relation to Australian cricketers participation in the upcoming Indian Premier League starting in March 2010.
- Local constituent matters.

#### **5.3 REPORT OF CR. DIANA ASMAR**

Cr. Asmar reported on her attendance at the following functions/activities:

- Tour of fire-damaged Preston South Primary School.  
Cr Asmar gave notice of her intention to move an appropriate motion under “General Business” later in the Council meeting in relation to this matter.

#### **5.4 REPORT OF CR. NICK KATSI**

Cr. Katsis reported on his attendance at the following functions/activities:

- Tour of fire-damaged Preston South Primary School.
- Leisure Strategy Steering Group meeting.
- Local constituent matters.

**5.5 REPORT OF CR. STANLEY CHIANG**

Cr. Chiang reported on his attendance at the following functions/activities:

- Bundoora Homestead Art Exhibition launch.
- CALD Communications Reference Group meeting.
- Various Chinese New Year celebrations.

**5.6 REPORT OF CR. TRENT MCCARTHY**

Cr. McCarthy reported on his attendance at the following functions/activities:

- Local planning issues.
- Addressing residents' concerns regarding dogs off lead in the Thornbury area.
- Darebin Aboriginal and Torres Strait Islander Community Council meeting.
- CALD Communications Reference Group meeting.
- Launch of 2010 Transition Darebin.
- 30<sup>th</sup> Annual Greek Community of Northcote Festival.
- Leisure Strategy Steering Group meeting.

**5.7 REPORT OF CR. GAETANO GRECO**

Cr. Greco reported on his attendance at the following functions/activities:

- Leisure Strategy Steering Group meeting.
- Finance briefing meeting.

**5.8 REPORT OF CR. BEN MORGAN**

Cr. Morgan welcomed everyone back to the Council Chamber following the Christmas/New Year break, and thanked the Mayor Cr. Fontana and Cr. Katsis for their recent support. He reported on his attendance at the following functions/activities:

- Local constituent matters.

**5.9 REPORT OF THE MAYOR, CR. VINCE FONTANA**

The Mayor, Cr. Fontana reported on his attendance at the following functions/activities:

- Northland Structure Plan meeting.
- Chinese New Year celebrations.
- Presented Certificate of Appreciation to Cameron Cricket Club stalwart volunteer, Hazel Smith.
- Claxton Shield Baseball Final won by Victoria.
- Meeting with Jenny Mikakos MP regarding Tram Route 86.

- Meeting with Preston Market trader representatives.
- Sculpture Exhibition at the Salvation Army Preston.
- Interview with 96.5 Inner FM Community Radio.
- Rainbow Families Child Care Workers Resource Launch.
- 30<sup>th</sup> Annual Greek Community of Northcote Festival.
- Parade College ‘Artists on Parade’ Exhibition.
- ‘Conflicts of Interest’ roundtable discussion with Mayors and Chief Executive Officers.
- Leisure Strategy Steering Group meeting.
- Darebin Aboriginal and Torres Strait Islander Community Council meeting.

## **6. PUBLIC QUESTION TIME**

### **MINUTE NO. 57**

The Mayor, Cr. Fontana, invited questions from members of the public gallery.

The following questions were submitted:

- Teresa Schiavone of Preston asked a question about traffic management at the intersection of Benambra Street and Gilbert Road Preston. The Mayor, Cr. Fontana, indicated that a written response would be forwarded.
- Marion Harper of Reservoir asked a question about Council support for a campaign to retain community use of surplus government land in the City. The question was responded to by the Mayor, Cr. Fontana.
- Marion Harper of Reservoir asked a question about Council support in opposing reduced health services in Darebin from closures and service provision cuts. The question was responded to by the Mayor, Cr. Fontana.
- John Nugent of Epping asked a question about capital funding for works at Frank A.A. Dunstan Reserve in Reservoir. The question was responded to by the Mayor, Cr. Fontana.
- John Nugent of Epping asked a question about safety issues at Donath Reserve. The question was responded to by the Mayor, Cr. Fontana.
- Kay Wawn of Preston asked a question about the condition of the garden area in front of the Darebin Civic Centre. The Mayor, Cr. Fontana, indicated that a written response would be forwarded.

After Public Question Time had concluded, one further question was submitted in writing.



**7. CONSIDERATION OF REPORTS****7.1 FINANCIAL REPORT – 6 MONTHS ENDED 31 DECEMBER 2009****MINUTE NO. 58****AUTHOR: Financial Accountant – Michael O’Riordan****MANAGER: Chief Financial Officer – Kerrie Jordan****BUDGET****IMPLICATIONS: Year to date operating surplus of \$41.7 million and capital works expenditure of \$7.2 million. Forecast full year operating surplus of \$5.3 million and capital works expenditure of \$32.4 million.****SUMMARY:**

A comprehensive mid-year financial review has been undertaken for the six months ended 31 December 2009 to assess the financial performance of Council year-to-date (YTD) and the forecast financial position as at 30 June 2010. The outcome of the review indicates that Council has achieved a YTD operating surplus of \$41.7 million and capital works expenditure of \$7.2 million. The forecast actual results for the year ending 30 June 2010 are an operating surplus of \$5.3 million and capital works expenditure of \$32.4 million. All material variations have been explained in the report.

**CONSULTATION:**

Managers and Coordinators.

**COUNCIL RESOLUTION****MOVED: Cr. G. Greco****SECONDED: Cr. D. Asmar**

**THAT** the contents of the “Financial Report for the six months ended 31 December 2009” included as **Appendix A** to this report be received and the year-to-date and full-year forecast actual and budget operating and capital results be noted.

**CARRIED**

**REPORT****BACKGROUND**

Under the Local Government Act 1989, at least every three months the Chief Executive Officer is required to present to the Council a statement comparing the budgeted with the actual revenues and expenses for the financial year to date. In complying with the Act, the attached report (see **Appendix A**) compares the actual and budgeted operating revenues and expenses and the actual and budgeted capital revenues and expenses for the six months ended 31 December 2009. It also compares the actual and budgeted movements in the Balance Sheet and Cash Flow Statement for that period.

In addition, a detailed review of the estimated financial results for the year ending 30 June 2010 has been performed as part of Council's mid-year review process. The outcomes of this review are included within the report as the forecast financial results.

**CORE ISSUES***Operating Performance*

The Operating Performance for the six months ended 31 December 2009 is an operating surplus before capital revenue and other items of \$39.7 million, which is \$3.9 million ahead of budget. The main items contributing to this favorable variance are contributions, capital grants, other revenue, employee benefits, materials and services and depreciation expenses. After capital and other items, the operating surplus is \$41.7 million, which is \$5.2 million ahead of budget. The forecast Operating Performance for the year ending 30 June 2010 is an operating surplus of \$5.3 million, which is \$2.1 million more than budget.

*Capital Performance*

The Capital Performance for the six months ended 31 December 2009 shows that a total of \$7.2 million has been expended on the capital works program, which is \$5.2 million behind the budget. The variance is due mainly to timing differences on the roads, open space and building works projects, and the purchase of plant and equipment. The forecast total to be expended on capital works for the year ending 30 June 2010 is \$32.4 million, which is \$3.1 million less than budget. A total of \$2.7 million is forecast to be carried forward into the 2010/2011 year for capital works expected to be incomplete as at 30 June 2010.

*Financial Position*

The Financial Position as at 31 December 2009 shows a cash balance of \$35.1 million which is \$4.4 million ahead of budget. The variance is due mainly to the timing differences in payments to suppliers and employees, government receipts and payment for property, infrastructure, plant & equipment, the receipt of proceeds from borrowings of \$2.3 million not undertaken at this stage and the higher opening cash position compared with budget. The net current asset position is \$57.9 million which is \$10.2 million more than budget. The variance is due mainly to the higher cash and trade receivables positions and lower trade and other payables position compared with budget. The net asset position is \$952.2 million, which is \$119.1 million ahead of budget. The forecast Financial Position as at 30 June 2010 shows a cash position of \$22.3 million and net current assets of \$7.6 million.

**POLICY IMPLICATIONS**

*Environmental Sustainability*

Nil.

*Social Inclusion and Diversity*

Nil.

*Other*

Nil.

**FINANCIAL IMPLICATIONS**

The Financial Report for the six months ended 31 December 2009 shows that Council's YTD operating result is a surplus of \$41.7 million and \$7.2 million has been expended on capital works. The forecast actual results for year ending 30 June 2010 are an operating surplus of \$5.3 million and capital works expenditure of \$32.4 million.

**FUTURE ACTIONS**

A further financial report will be presented to Council for the eight months ending 28 February 2010.

**7.2 PRINCIPAL ACCOUNTING OFFICER****MINUTE NO. 59****AUTHOR: Director Corporate Services - Bruce Dobson****MANAGER: Chief Executive Officer - Michael Ulbrick****BUDGET  
IMPLICATIONS: Nil****SUMMARY:**

The Local Government (Finance and Reporting) Regulations 2004 (“the Regulations”) require all local governments to designate a person as the Principal Accounting Officer, responsible for the financial management of the Council. The Principal Accounting Officer is also required to certify the annual audited statements including the Standard Statements, Financial Statements and Performance Statement.

Following the recent appointment of Kerrie Jordan as Chief Financial Officer, it is recommended that she be designated by Council as the Principal Accounting Officer of the City of Darebin.

**CONSULTATION:**

Chief Executive Officer

**COUNCIL RESOLUTION****MOVED: Cr. G. Greco  
SECONDED: Cr. T. Laurence****THAT** Ms Kerrie Jordan be designated as the Principal Accounting Officer of the City of Darebin.**CARRIED****REPORT****BACKGROUND**

The Local Government (Finance and Reporting) Regulations 2004 (“the Regulations”) require all local governments to designate a person as the Principal Accounting Officer, responsible for the financial management of the Council. The Principal Accounting Officer is also required to certify the annual audited statements including the Standard Statements, Financial Statements and Performance Statement.

It is appropriate that Council’s Chief Financial Officer is designated as the Principal Accounting Officer under the Regulations.

**CORE ISSUES**

Regulation 4 of the Local Government (Finance and Reporting) Regulations 2004 defines the Principal Accounting Officer as the person designated by a Council to be responsible for the financial management of the Council. This includes the preparation of a number of key financial reports including the Strategic Resource Plan, Annual Budget and the Audited Statements. It also includes the monitoring and reporting of actual versus budgeted financial results to management and Council as well as maintaining proper financial systems for recording financial transactions and an adequate internal control environment.

Sections 131 and 132 of the Local Government Act 1989 (“the Act”) and the Regulations require the Principal Accounting Officer to certify the audited statements at the end of each reporting period including the Standard Statements, Financial Statements and Performance Statement. The certification refers to the compliance by each of the Statements with all relevant statutory and professional reporting requirements.

Bruce Dobson, Director Corporate Services, has been designated as the Principal Accounting Officer of the City of Darebin since November 2005. Bruce originally held the position of Chief Financial Officer prior to being appointed to his current position. Kerrie Jordan was appointed to the vacant position of Chief Financial Officer in September 2009. Kerrie is a Certified Practising Accountant with significant experience in the private and public sectors and is suitably qualified to be designated as the Principal Accounting Officer for the City of Darebin.

**POLICY IMPLICATIONS****Environmental Sustainability**

Nil.

**Social Inclusion and Diversity**

Nil.

**Other**

Nil.

**FINANCIAL IMPLICATIONS**

Nil.

**FUTURE ACTIONS**

If the recommendation contained in this report is approved, Kerrie Jordan will become responsible for carrying out all the duties required of the Principal Accounting Officer in accordance with the Act and Regulations.

**RELATED DOCUMENTS**

Local Government Act 1989

Local Government (Finance and Reporting) Regulations 2004

Council Minutes – 21 November 2005

**7.3 SAFETY ISSUES – MARY AND BRUCE STREETS, PRESTON****MINUTE NO. 60****AUTHOR:** Senior Transport Planner – Nigel Turner**MANAGER:** Acting Manager, Major Projects and Transport – Nick Mazzarella**BUDGET****IMPLICATIONS:** Within Budget**SUMMARY:**

At its meeting on 21 December 2009, Council resolved:

*That officers prepare a report by the first Briefing session/Council meeting of 2010 outlining what safety measures can be implemented at the corner of Mary and Bruce Streets Preston to reduce speed and negate what could be deemed 'hoon' behaviour.*

Mary Street and Bruce Street are both local streets that provide access to commercial, recreational, and residential land uses between Cramer Street, High Street, Bell Street, and the Epping rail line. VicRoads' CrashStats and recent traffic surveys show that casualty crashes, traffic volumes, and 85<sup>th</sup> %ile vehicle speeds are lower on these two streets than on other roads within the municipality that have similar use and geographic positions within the road hierarchy.

As such, traffic management measures should be prioritised for these other locations ahead of either Mary Street or Bruce Street.

**CONSULTATION:**

No specific consultation has been undertaken regarding this issue.

**COUNCIL RESOLUTION****MOVED:** Cr. N. Katsis**SECONDED:** Cr. B. Morgan**THAT:**

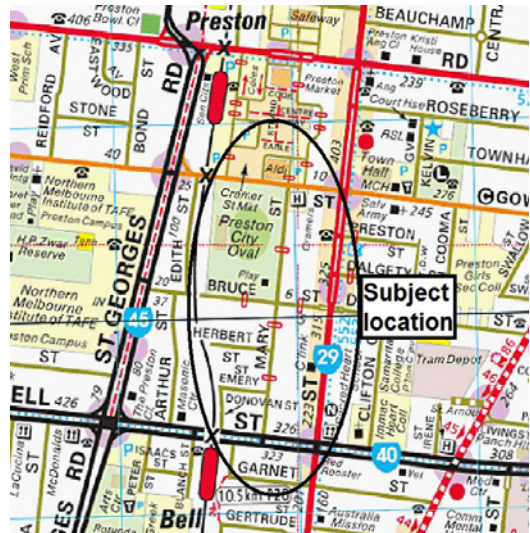
- (1) Council receive and note this report regarding safety issues in Mary and Bruce Streets Preston.
- (2) Officers continue to develop concept designs for the Preston Connect, Cramer Street road safety and amenity project, including the installation of an entry treatment at the intersection of Cramer Street and Mary Street Preston.
- (3) Officers send letters to all residents of Mary Street and Bruce Street Preston giving "Hoon hotline" details and the reasons behind using this approach to address "hoon" activity.
- (4) Officers continue to monitor traffic on Mary Street Preston.

**CARRIED**

**REPORT****BACKGROUND****Mary Street**

Mary Street is a local street that runs between Cramer Street and Bell Street, parallel to High Street. It's location within the local network is such that it provides access to commercial and recreational land uses as well as residential properties south of Bruce Street. While some element of through traffic does use this route to travel between Cramer Street and Bell Street, existing traffic management treatments on Mary Street help to minimise the amount of through traffic using the southern end of Mary Street.

While officers are very aware of concerns expressed by individual residents of Mary Street about traffic related safety and amenity issues, traffic patterns on Mary Street have been investigated on a number of occasions and have been consistently shown to be within the values typical for a local residential street.



Recent traffic surveys (2008) show that Mary Street carries approximately 1000 vehicles per day (a 30% reduction from 1989) with an 85<sup>th</sup> percentile speed of approximately 37 km/h. These speeds and volumes are consistent with those normally found on a local street of this type.

Although six casualty crashes occurred on Mary Street in the 5 year period commencing in 2003, three of these crashes occurred at the intersection of Mary Street and Cramer Street and two at the intersection of Mary Street and Bell Street. Only one crash occurred between these two major intersections, at the intersection of Mary Street and Herbert Street.

Traffic volumes are comparable with similar local roads, vehicle speeds are well below the speed limit, and casualty crashes occur relatively infrequently on Mary Street (compared to other priority blackspots).

As noted previously, officers are in the process of developing the Preston Connect project on Cramer Street, which aims to improve road safety on Cramer Street, between High Street and Mary Street, and improve pedestrian and cyclists amenity along the length of this key local connector route.

**Bruce Street**

Bruce Street (east of St Georges Road) is a local street that runs between High Street and the Epping rail reserve, perpendicular to High Street. Again, its location within the local road network is such that it provides access to commercial and recreational land uses as well as the residential area south of Bruce Street. Because Bruce Street ends in a cul-de-sac, all of the vehicles found at the western end of Bruce Street (west of Mary Street) will be making local trips to access residential and recreational land uses. While a very small element of through traffic may use this route to travel between High Street and Bell Street, existing traffic management treatments on Bruce Street and Mary Street help to minimise the amount of through traffic using the southern/residential end of Mary Street. As such, no further traffic management measures are warranted for this road.



## CORE ISSUES

### Safety Measures

Currently, there are 3 speed humps in Mary Street between Cramer Street and Bell Street. Because crash history, vehicle speeds, and traffic volumes show that Mary Street is not a high priority for safety measures/traffic calming/traffic management treatments, additional speed humps are not warranted for this road.

Officers applied to VicRoads for funding for traffic signals at the intersection of Cramer Street and Mary Street in 2009. The funding application was not successful. The proposed redevelopment of the Preston Market site does include the installation of signals at this intersection. However, the deferral of this project by the Preston Market owners will inevitably delay the improvements.

Officers applied to VicRoads for a reduced speed limit on Mary Street, but this application was also unsuccessful (see **Appendices A and B**).

Officers are also in the process of developing plans for the introduction of a new entry treatment at the northern end of Mary Street, at its intersection with Cramer Street, as part of the 'Preston Connect' project. This project aims to improve road safety and amenity on Cramer Street, particularly around its intersection with Mary Street. While the entry treatment being proposed is predominantly intended to improve the pedestrian environment, it will also indicate a change of road environment for vehicles entering Mary Street and act as a speed reducing feature (speed hump) at the northern entrance to Mary Street.

### 'Hoon Behaviour'

Traffic engineering treatments are only useful in addressing more general speeding issues and do not reduce 'hoon' behaviour. Counter-intuitively, traffic calming treatments have often been shown to encourage more dangerous "hoon" behaviour, as traffic management and calming treatments are frequently seen as challenges by this element of society.

The Victorian Government, in an attempt to address the issue of "hoon" driving, have run a number of education campaigns as well as establishing the Crime Stoppers "Hoon Hotline" (1800 333 000). By reporting "hoon" behaviour to Crime Stoppers, residents can help to build up a database of vehicles used by "hoon" drivers, which can then be used by the Police to track offenders and confiscate vehicles. This approach specifically targets the "hoon" driver, rather than placing an unreasonable cost for ineffective engineering treatments on a wider community that drives in an acceptable fashion. Officers will send information regarding the "Hoon Hotline" to the residents of Mary Street and Bruce Street.

## POLICY IMPLICATIONS

### Environmental Sustainability

Maximising the benefits associated with Traffic Management and Road Safety works by prioritising those locations where the greatest number of crashes resulting in injury occur also results in maximal improvements to residents' perceptions of road safety. Peoples' perceptions of road safety influence their decision to choose walking and cycling as their preferred mode of travel. Therefore, by taking a targeted approach to road safety, Council maximises uptake of sustainable transport modes by reducing the barriers created by poor perceptions of road safety.

Because transport is the second largest source of carbon emissions for residents (Victorian Climate Change Green Paper, 2009), by encouraging residents to change transport modes we are helping reduce the impact of transport, as well as helping residents increase their resilience for Peak Oil.

**Social Inclusion and Diversity**

Improving the use of sustainable transport in Darebin increases the equity and affordability of transport options for our residents. The private motor vehicle is the most expensive mode of transport, and so it disfavours the most disadvantaged sections of our community. Walking in particular has been shown to have a positive affect on the way residents interact with their local communities and neighbourhoods. Vehicular traffic often has the opposite effect, reducing the amenity of a neighbourhood and restricting opportunities for neighbourly interactions.

**Other**

Darebin's Transport Strategy and forthcoming Safe Travel Strategy advocate a targeted approach to Traffic Management and Road Safety. By taking a targeted approach to road safety, Council maximises uptake of sustainable transport modes by reducing the barriers created by poor perceptions of road safety.

**FINANCIAL IMPLICATIONS**

Existing funding allocated for Preston Connect, Cramer Street pedestrian and cyclist safety and amenity project, including entry treatment at Mary Street.

Existing funding allocated for "Hoon Hotline" mail-out.

**FUTURE ACTIONS**

- Council officers to continue to develop concept designs for the Preston Connect, Cramer Street road safety and amenity project, including the installation of an entry treatment at the intersection of Cramer Street and Mary Street.
- Council officers to send letters to all residents in Mary Street and Bruce Street, giving "Hoon hotline" details and the reasons behind using this approach to address "hoon" activity in Mary Street and Bruce Street.
- Council officers continue to monitor traffic in Mary Street.

**RELATED DOCUMENTS**

- Council Minutes, 1 June 2009

**7.4 OPEN SPACE ASSET MANAGEMENT PLAN**

MINUTE NO. 61

**AUTHOR:** Acting Manager, Asset Strategy - Anita Craven**MANAGER:** Director Infrastructure - Geoff Glynn**BUDGET  
IMPLICATIONS:** Nil.**SUMMARY:**

The Open Space Asset Management Plan (OSAMP) identifies and documents the practices and processes involved in managing Council's open space assets. It also identifies gaps and improvement actions to Council's Open Space Asset Management practices

**CONSULTATION:**

Asset Management  
Darebin Parks  
Capital Works  
Open Space Planning  
Leisure Services  
Bundoora Park  
Environmental Strategy  
Financial Services  
Social Research

**COUNCIL RESOLUTION**

**MOVED:** Cr. T. Laurence  
**SECONDED:** Cr. T. McCarthy

**THAT** Council receive and note the *Open Space Asset Management Plan 2010* attached as **Appendix A** to this report.

**CARRIED****REPORT****BACKGROUND**

Victoria's 79 Councils are responsible for maintaining \$33.5 billion worth of aging infrastructure including roads, drainage, bridges, recreation facilities and buildings. There are two key challenges facing local governments in managing these assets:

- Funding the renewal of these assets so that they are maintained at a level that is acceptable to the community

- Developing the information and practices to support this.

The Department of Planning and Community Development (DPCD), together with peak local government bodies, is delivering a range of initiatives to support Councils in their Asset Management responsibilities. This includes the Municipal Association of Victoria (MAV) Advanced STEP program and the DPCD Asset Management Performance Measures Project.

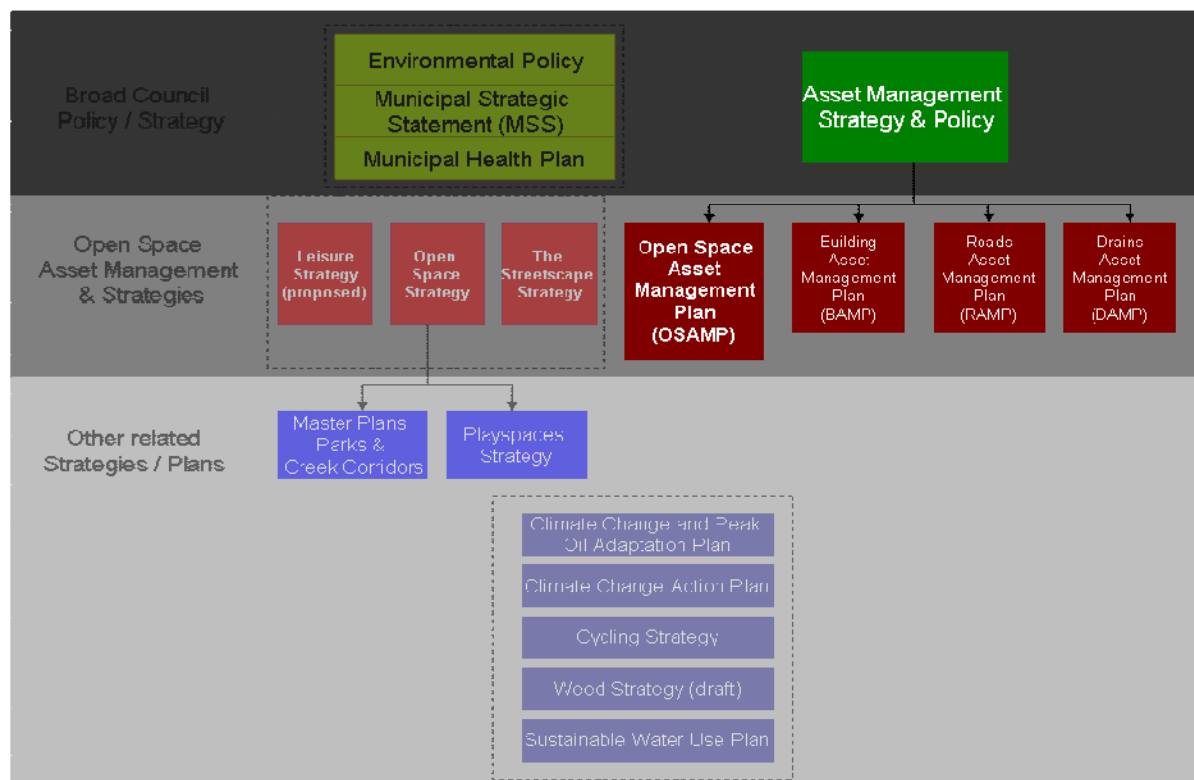
The development of Asset Management Plans was one of the key pillars of Council's Adopted Asset Management Strategy (2005) to identify the practices and processes involved in managing Council's assets and documenting them in the form of an Asset Management Plan. The Open Space Asset Management Plan (OSAMP) is one of a suite of plans being developed across the organisation to address this action.

The production of this OSAMP is a first attempt to address gaps and identify improvements to Council's Open Space Management Practices, in response to the above drivers. At this stage, not all information is available to construct a comprehensive picture of Darebin's open space assets, however, future versions of the OSAMP will progressively improve the quality of the information.

## CORE ISSUES

### Asset and Open Space Management

The OSAMP is one of a suite of documents that relate to Asset Management and Open Space Assets within the City of Darebin. The diagram below illustrates where the OSAMP fits within the document hierarchy.



The City of Darebin has an impressive network of community, formal and sporting parkland which includes creek corridors and bushland sites. The community places a high value on open space and a broad range of spaces are important in meeting the diverse needs of the community. These open spaces range from small local parks up to major regional parklands such as All Nations Park and Bundoora Park. In addition there are the environmentally sensitive areas such as the Central Creek Grasslands, the La Trobe University Wildlife Reserve and the Leamington Street Wetlands.

In total the City of Darebin has over 800 hectares of parks and reserves. Streetscapes are also a significant part of the open space network. Streetscapes range from residential streets that consist mainly of street trees, naturestrips and traffic treatments. Streetscapes also include Retail Activity Centres and in addition to street trees, include furniture and fixtures.

### Key Findings

Open Space is a significant asset within the City of Darebin. Council spends approximately \$11 million per year on the maintenance and upgrading of open space. The following is not a comprehensive list of all the findings within the OSAMP, but summarises the key points.

#### *Asset Management Information System*

Council is currently implementing the Customer Request and Asset Management System (CAMS). In preparation for CAMS, a project to collect data on Open Space assets has commenced and is expected to be completed within the next 18 months. When fully operational CAMS will provide data on customer requests linked to specific assets, provide a centralised asset register and put in place programmable maintenance and inspection regimes. This information will provide a measure of the maintenance and capital requirements of Council's open space.

#### *Estimated Useful Life / Asset Condition*

Currently there is very little information on the anticipated useful life and the condition of Council's open space assets due to limited data available on these assets. Consequently the optimum funding required for maintaining open space assets cannot be determined at this time. There are actions listed in the improvement items to address this.

#### *Parks Maintenance Systems*

Currently there is very little in the way of written maintenance schedules or standards for Council's parks. This short coming has been recognised and is to be addressed as part of the improvement items and implementation of CAMS.

### Conclusion

The OSAMP is Darebin Council's first generation plan for managing its open space. As such, there are areas where improved data will yield a more accurate picture of these assets, enabling more sophisticated analysis. The OSAMP will be reviewed within 4 years from the adoption of this version, building in improvements achieved over that time.

### Improvement Actions

The recommended improvement items have been prioritised and are listed below. Further information is provided in Section 8.2.1 of the Open Space Asset Management Plan.

#### *High Priority*

- Review, determine, agree and document service levels on all assets referred to in this Asset Management Plan
- Finalise data collection for all parks and reserves and develop process for ongoing maintenance and collection
- Develop a suite of indicators to measure satisfaction with service levels and importance of assets and resource use (water and energy) referred to in this Asset Management Plan once service levels have been established
- Complete the implementation of CAMS for the Open Space system and establishment of centralised Asset Register & Asset Hierarchy
- Continue the development of the new Leisure Strategy
- Review and update the Playground Strategy
- Continue to review and consult with customers and stakeholders over service level on all assets referred to in this Asset Management Plan
- Improve the inspection, monitoring and recording process of maintenance activities
- Investigate the possible introduction of mobile computing for inspector/field staff
- Continue the work to prioritise and action the priorities for open space assets as identified in the Climate Change and Peak Oil Adaptation Plan.
- Continue to monitor and improve environmental practices for all assets included in this asset management plan

#### *Medium Priority*

- Develop detailed service level working documents for maintenance crews to implement once service levels have been agreed to
- Monitor and report annually on actual service level performance vs. target performance
- Continue the review and update The Streetscape Strategy
- Explore the benefits of whether buildings in parks and sports fields, including BBQ's, toilet blocks, scoreboards, stormwater, lighting, and shared paths etc., should be included in next version of this Asset Management Plan or another Asset Management Plan, such as Building, Road or Drainage
- Investigate issue of on-going costs associated with maintenance and renewal of Bundoora Park assets given its status as a regional park

#### *Low Priority*

- Review financial valuations after data has been collected for all assets included in the Open Space Asset Management Plan
- Review the process that Darebin uses for inclusion of assets in financial accounts

- Determine useful life of Open Space assets based on condition and performance information
- Develop a 20 year Financial Forecast
- In conjunction with development of 20 year financial plan, review expenditure allocation between reactive, proactive, maintenance and capital expenditure.

## **POLICY IMPLICATIONS**

### **Environmental Sustainability**

Environmental effects, such as peak oil, have a significant impact on our Open Space Assets. Considerable work in the ongoing planning, building new and maintenance of the existing assets has already been completed in relation to environmental impacts. This plan considers the ongoing impact of environmental effects to be critical to the management of Open Space Assets and this is outlined in section 4.4. Environmental Change

### **Social Inclusion and Diversity**

The Open Space Asset Management Plan seeks to ensure that Council's Open Space Assets fulfil their intended purpose, which includes providing equitable access and mobility for all sections of the community in the use of Open Space Assets. This includes planning for and maintaining open space assets with a focus on improving and expanding the range and quality of open space areas across a variety of setting which consider and celebrate cultural diversity of the city. Additionally, implementation of programs to improve disability access in Open Space is provided through Councils Capital Works program.

### **Other**

Nil

## **FINANCIAL IMPLICATIONS**

Nil

## **FUTURE ACTIONS**

Work will commence in February 2010 to allocate responsibilities and timelines for the high priorities as outlined in the Improvement Action Plan.

## **RELATED DOCUMENTS**

- Open Space Asset Management Plan (OSAMP)
- Darebin Asset Management Strategy & Policy (2005)
- City of Darebin State of Assets Report 2008-2009

**7.5 STOLEN GENERATIONS MARKER – NORTHCOTE TOWN HALL****MINUTE NO. 62****AUTHOR:** Coordinator, Indigenous Policy and Programs – Troy Austin**MANAGER:** Manager, Social Inclusion and Diversity – John Smith**BUDGET IMPLICATIONS** Darebin City Council has committed \$10,000 towards the creation of a marker to acknowledge the Stolen Generations.**SUMMARY:**

This report provides an update on the progress of the Stolen Generations marker that is to be erected at the Northcote Town Hall Civic Square.

**CONSULTATION:**

Council officers have consulted with the Chairperson and staff of Stolen Generations Victoria, and a reference group, including members of the Stolen Generations. The reference group was established to seek advice about the most appropriate marker to acknowledge those that were forcibly removed from their families.

Darebin Aboriginal and Torres Strait Islander Community Council (DATSICC) considered this project at its most recent meeting on 3 February 2010.

The venue manager of the Northcote Town Hall and Council staff have also been consulted about the logistics of erecting the marker at the Civic Square.

**COUNCIL RESOLUTION****MOVED:** Cr. T. McCarthy  
**SECONDED:** Cr. S. Chiang**THAT:**

- (1) Council note that Darebin Aboriginal and Torres Strait Islander Community Council (DATSICC) member Nicole Bloomfield will monitor the progress of the Stolen Generations marker and provide advice to stakeholders between DATSICC meetings.
- (2) Council note that Stolen Generations Victoria has requested that DATSICC draft wording for the marker for consideration by the Stolen Generations Victoria Board of Directors.

**CARRIED**



**REPORT****BACKGROUND**

Darebin City Council has committed \$10,000 towards the creation of a marker to acknowledge the Stolen Generations.

There have been a number of attempts to come together as organisations (Stolen Generations Victoria and Darebin Council) to conclude the design and wording but the finalisation of the design for the marker has been delayed a number of times - initially as discussions were scheduled to commence in the same year as the National Apology to the Stolen Generations and latterly due to work pressures and conflicting commitments in both organisations.

Stolen Generations Victoria and Darebin City Council have committed to conclude this process and finalise the development of the marker this year.

**CORE ISSUES**

The Northcote Town Hall Civic Square has been identified as an appropriate site for a marker to be erected to acknowledge the Stolen Generations.

Stolen Generations Victoria has requested that DATSICC draft a statement for the marker that would provide an explanation of the marker to visitors of the Civic Square.

One or more of the following statements could be included on or near the marker;

- This marker stands as a tribute to members of the Stolen Generations.
- The City of Darebin acknowledges that Aboriginal children were forcibly removed from their families.
- This marker was erected in support of Stolen Generations members that are still trying to find their way home or are on a Journey of Healing.

DATSICC will prepare a formal draft of appropriate wording to present to Stolen Generations Victoria Board Members for consideration. DATSICC may consider the formation of a committee comprising of Stolen Generations Victoria representative and DATSICC members, including Councillors, to oversee the completion of this project. The committee could pen appropriate wording for the marker and establish timelines for the remainder of the project.

Council's Arts and Cultural Development Branch will develop specifications seeking conceptual designs for a marker that acknowledges the Stolen Generations. The successful artists will also be required to produce a marker that can be erected at the Northcote Town Hall Civic Square.

Stolen Generations Victoria propose that the successful design could be announced on Sorry Day, 26 May 2010, and that the marker be unveiled on Children's Day, 4 August 2010. These dates would need to be confirmed with Aboriginal organisations including Stolen Generations Victoria and the Victorian Aboriginal Child Care Agency.

**POLICY IMPLICATIONS****Environmental Sustainability**

The environmental impact of this project will not be known until the conceptual designs are submitted and concepts presented to DATSICC / Council. Designs may include lighting, running water and/or smoke.

**Social Inclusion and Diversity**

This project is important to the Stolen Generations Victoria. The marker will demonstrate Council's understanding of the issues and effect of the Federal Government's past policy on the Aboriginal people. The marker will complement the National Apology and acknowledge that whilst the Policy may have been well intentioned the implementation of the Policy has repercussions over many generations. The marker will highlight the Council's commitment to respect, the local community and its wellbeing.

**Other**

It is important to ensure that Stolen Generations Victoria and DATSICC are engaged in the future development of this project.

**FINANCIAL IMPLICATIONS**

Darebin City Council has committed \$10,000 towards the Stolen Generations marker.

**FUTURE ACTIONS**

Council's Arts and Cultural Development Branch will develop a tender brief seeking expressions of interest from artists that are able to design and produce a marker that acknowledges the Stolen Generations as outlined in the project specifications.

A selection process will need to be developed to consider the expressions of interests that are submitted during the tender process.

**RELATED DOCUMENTS**

Nil.

**7.6 PLANNING AND ENVIRONMENT ACT REVIEW****MINUTE NO. 63****AUTHOR:** Director Development and Amenity – Michael Ballock**MANAGER:** Chief Executive Officer – Michael Ulbrick**BUDGET****IMPLICATIONS:** Nil.**SUMMARY:**

The modernisation of the Planning Act has progressed to a stage where a draft Planning and Environment Amendment (General) Bill 2009 has been prepared and put out for comment. The modernisation of the Planning Act process does not propose to re-write the Act but rather the draft Bill and accompanying explanatory documents set out the proposed amendments to the *Planning and Environment Act 1987*.

Submissions on the draft Bill are due on 12 February 2010. However Council has sought an extension of time until 19 February 2010 to enable this report to be considered.

**CONSULTATION:**

Municipal Association of Victoria (MAV)  
Victorian Local Governance Association (VLGA)

**COUNCIL RESOLUTION**

**MOVED:** Cr. T. Laurence  
**SECONDED:** Cr. T. McCarthy

**THAT:**

- (1) The Director Development and Amenity prepare a submission to the draft Planning and Environment (General) Bill, 2009.
- (2) This submission would:
  - (a) Support both the Municipal Association of Victoria and Victorian Local Governance Association submissions attached as **Appendix A** and **Appendix B** to this report;
  - (b) Oppose the proposed changes to the planning scheme amendment process that would allow the Minister to authorise any person to prepare an amendment; and
  - (c) Recommend that a definition of projects of state significance be included in the legislation.

**CARRIED**

**REPORT****BACKGROUND**

The Planning and Environment Act sets out planning system processes and establishes a head of power for the key instruments of the Victorian planning system, including the Planning and Environment Regulations 2005, the *Victoria Planning Provisions* (VPP) and planning schemes. Much of the key content of Victoria's planning system is spelt out in these documents.

The draft Planning and Environment Amendment (General) Bill 2009 sets out the proposed amendments to the *Planning and Environment Act 1987* (the Act). The draft Bill is intended to provide an opportunity to interested parties to consider and comment on the detail of the proposed changes to the Act before the introduction of the Bill into Parliament.

Modernising Victoria's Planning System is focused on amending rather than replacing the existing legislation. The proposals outlined in the draft Bill can be seen as restructuring changes to the Act that have been made over the past 20 years and updating other elements of the Act. However the fundamental structure of the Act and therefore the planning system will remain unchanged.

The draft Bill proposes the following headline changes to the Act:

- The objectives of planning in Victoria
- The planning scheme amendment process
- The planning permit process
- State significant development
- Other initiatives.

Interested parties have until 12 February 2010 to make a submission to the draft Bill. (Council has sought an extension of time until 19 February 2010). There has been a consultative process that preceded the drafting of the Bill including stakeholder workshops in late 2008 and expert working groups. The development of the draft Bill represents the final step in modernisation process of the Act.

**The objectives of planning in Victoria**

The objectives form the introduction of the Act and are regarded as important tools to support and guide both the content of the Victorian planning framework and decisions relating to land use and development in Victoria. While the current objectives, which focus on the environmental elements of land use and development, continue to remain relevant for planning in Victoria, the draft Bill proposes a change in emphasis to broaden the considerations in the planning process. The Bill proposes to alter the objectives of planning in Victoria to recognise the importance to planning of:

- Equal consideration of social, economic and environmental factors in decision-making
- A healthy environment
- Population and demographic change
- High quality and sustainable design
- The need to integrate planning for land use, transport and infrastructure.

**The amendment Process**

The most significant changes in the Bill are proposed for the planning scheme amendment process. The fundamental change is that the Minister may authorise a person to prepare and exhibit an amendment. Under the current legislation this can only be undertaken by Council or the Minister.

Separate ‘streamlined’ and ‘standard’ planning scheme amendment processes are proposed for the assessment of amendments. The intent of the change is to improve efficiency by enabling an amendment to be streamed into a process that better reflects the nature of the change proposed by the amendment.

The changes in the Bill include:

- The Minister for Planning will be able to authorise a person to prepare an amendment and carry out certain procedural steps in the standard amendment process.
- The Secretary of the Department will certify the quality of amendments before exhibition.
- The date for a directions hearing will be set at the time of exhibition.
- An amendment can only be approved or refused by the Minister on recommendation from the planning authority (Council).

**The Planning Permit Process**

Two separate processes are provided for the assessment of permit applications to more closely match the assessment and approval process with the potential impact of the proposal. The two processes are:

- Code assess – This process will apply to straightforward, low risk, low impact applications that can be quickly assessed against specified performance standards or assessment criteria set out in a planning scheme. Decisions must be made by the Chief Executive Officer of the Council, or their delegate.
- Merit assess – This is the current planning permit process, with some improvements. Decisions are made by the Responsible Authority, which may be either the Council or their delegate.

In addition the Bill also proposes to clarify the following:

- The definition of a permit
- The duties of a Responsible Authority
- Matters to be considered by the Responsible Authority
- Conditions that can be put on a permit
- The process of amending a permit
- The referral process and the duties of a Referral Authority.

**State Significant Development**

Some projects have significant implications on the development of the State. There are currently no criteria to identify a state significant project. State significance is often defined by the Minister calling in an application or directly intervening in the planning scheme amendment process.

A new Division of the Act is proposed that provides a process for assessing State significant development where the decision is to be made by the Minister. The proposed process aligns with the 'impact assess' track defined in the Leading Practice Model prepared by the national Development Assessment Forum (DAF). The DAF 'impact assess' track is viewed as appropriate for the assessment of projects that have the potential for significant economic, social or environmental impacts.

### **Other Initiatives**

The draft Bill introduces a range of other improvements to the Act. These include:

- Reforms to the preparation and operation of section 173 agreements
- The introduction of a comprehensive monitoring and reporting framework for Victoria's planning system
- Enabling the Planning and Environment (Fees) Regulations 2000 to set out composite fees that will allow for resourcing of e-Planning initiatives
- A number of technical changes to the Act.

Submissions on the draft Bill are due on 12 February 2010. However an extension of time until 19 February 2010 has been sought to enable Council to consider this report before a submission is made.

### **CORE ISSUES**

Many of the changes proposed to the Act reflect current planning practice. For example the proposed alterations to the objectives of planning reflect current planning practice. The code assess permit track on the other hand represents an improvement identified as part 'Better Decisions Faster' program which examined improvements in the planning system. Both of these changes reflect reasonable improvements to the functioning of the Act and should be supported.

However, the proposed changes to the amendment process represent a significant departure from current planning practice. At present an amendment can only be initiated by the Council or the Minister. There is no review of this decision. This lack of review is at odds with most other elements of the planning system where, for instance, VCAT reviews permit decisions made by Council. Whilst there is merit in providing a mechanism to review a decision on an amendment, the ability for a person to be authorised to prepare an amendment is a significant step beyond that approach. Effectively it allows anyone, with the Minister's consent, to prepare an amendment without a requirement to bring the proposal to Council. In addition this process may not be subject to public scrutiny in the same way that Council's decisions are and consequently should not be supported.

The consideration of projects of state significance to a large extent formalises the current practice of Ministerial call-ins. However the real issue is what is defined as being of state significance. The draft Bill does not define state significance but enables that to occur in guidelines or a Ministerial Direction. The definition of state significance should be clarified before this provision of the Bill is considered.

The remainder of the changes proposed are effectively a tidy up of the existing Act.

In considering these changes, Council officers have been in discussion with the MAV. The MAV has made a detailed submission to the draft Bill which deals with these concerns and is attached (see **Appendix A**). The VLGA has also prepared a submission on the draft Bill, which is attached (see **Appendix B**). The VLGA identifies the changes to the amendment process and in particular the ability for applicants to prepare an amendment as a major issue and opposes the proposed changes. The VLGA also identifies the lack of certainty about what is a project of state significance projects as another issue.

### **Conclusion**

Generally the proposed changes introduced in the draft Bill reflect current planning practice and should be supported. However there are some changes, such as the new amendment process and the lack of certainty about what state significance means that should not be supported. In this respect it is important for Darebin to put in a submission on the draft Bill that reflects these views.

### **POLICY IMPLICATIONS**

The Planning and Environment Act is the key piece of legislation in the planning system. The review does not propose to re-write the Act but amend the existing legislation. The review does not propose to fundamentally change the operation of the planning system and consequently there are no significant policy issues. As outlined above, the draft Bill proposes some changes to planning processes and many of these should be supported. However the proposed changes to the process should not be supported.

#### **Environmental Sustainability**

The proposals in the draft Bill in many ways strengthen the consideration of environmental sustainability as part of the planning process. Environmental factors are retained in the Objectives of Planning in Victoria. In addition new objectives dealing with a healthy environment and sustainable design have been added.

#### **Social Inclusion and Diversity**

The proposals in the draft Bill would give equal consideration to social and economic considerations as well as environmental sustainability in the planning process. Environmental factors are retained in the Objectives of Planning in Victoria. In addition new objectives dealing with a healthy environment and demographic change have been added.

#### **Other**

Nil.

### **FINANCIAL IMPLICATIONS**

Nil.

**FUTURE ACTIONS**

The Director Development and Amenity will prepare a submission on the draft Bill.

**RELATED DOCUMENTS**

Nil.



**8. URGENT BUSINESS**

Nil.

**9. GENERAL BUSINESS****9.1 GAMING AND COMMUNITY SUPPORT FUND IN DAREBIN****MINUTE NO. 64****COUNCIL RESOLUTION**

**MOVED:** Cr. T. McCarthy  
**SECONDED:** Cr. G. Greco

**THAT** officers undertake an analysis of gaming activity vs Community Support Fund (CSF) applications in the City of Darebin since the inception of the CSF scheme, including, but not limited to the following data:

- Annual reported spending on and losses to gaming machines in the City of Darebin.
- Total number of applications to the Community Support Fund and amounts applied for by Darebin Council.
- Total number of successful applications and amounts granted by the Community Support Fund to Darebin Council.

**CARRIED**

**9.2 DOGS OFF-LEAD – THORNBURY AREA****MINUTE NO. 65****COUNCIL RESOLUTION**

**MOVED:** Cr. T. McCarthy  
**SECONDED:** Cr. D. Asmar

**THAT** Council officers investigate reports of increased dogs off-lead activity in the Thornbury area.

**CARRIED**

9.3

**PRESTON SOUTH PRIMARY SCHOOL****MINUTE NO. 66****COUNCIL RESOLUTION**

**MOVED:** Cr. D. Asmar  
**SECONDED:** Cr. N. Katsis

**THAT:**

- (1) The Mayor write to the local Members of Parliament seeking an update on what the Government will be doing to assist Preston South Primary School, to be rebuilt after the fire damage.
- (2) Council officers consult with the School Principal regarding what assistance Council could provide, such as a native plants project to be planted by the students on the nature strip.

**CARRIED**

9.4

**HEALTH SERVICES IN DAREBIN****MINUTE NO. 67****COUNCIL RESOLUTION**

**MOVED:** Cr. D. Asmar  
**SECONDED:** Cr. T. Laurence

**THAT** officers provide an update report on the proposed closure of the Breast Screen Clinic in Bell Street Preston and on any cuts from the Government in relation to the PANCH Centre in Bell Street Preston and any reductions to services by doctors at the Darebin Community Health Centre.

**CARRIED**

**9.5 CAMPAIGN TO RETAIN COMMUNITY ASSETS IN DAREBIN****MINUTE NO. 68****COUNCIL RESOLUTION**

**MOVED:** Cr. T. Laurence  
**SECONDED:** Cr. D. Asmar

**THAT** Darebin Council give in principle support to the community campaign to keep public assets in public hands in the City of Darebin to provide for the long term needs of our community in relation to open space and early childhood services in particular.

To advance this goal of retaining public assets Council determines to write to all local State and Federal Members of Parliament and seek assurance from all political parties for two 'community first' commitments:

- (1) That surplus State Government land from school mergers in Darebin along with the PANCH Medical service site on Bell Street Preston will NOT be sold to private interests in the next term of government.
- (2) That the land and buildings on school sites that will be surplus to local school requirements be transferred without cost to the Darebin Council prior to the state elections in November 2010 to allow the orderly development of early childhood services and open space provision in partnership with our local community.

Further, that Council officers write to the Municipal Association of Victoria and the Victorian Local Governance Association on this Council position.

**CARRIED****9.6 COMMUNITY AWARENESS CAMPAIGN TO COMBAT SPEEDING TRAFFIC ON PLENTY ROAD****MINUTE NO. 70****COUNCIL RESOLUTION**

**MOVED:** Cr. T. Laurence  
**SECONDED:** Cr. D. Asmar

**THAT** the Mayor talk to Whittlesea and Banyule Mayors about creating a community-based communication plan to raise awareness about the social costs of speeding on Plenty Road.

**CARRIED****9.7 SAFETY ISSUES - DONATH RESERVE OVAL**

## MINUTE NO. 69

**COUNCIL RESOLUTION**

**MOVED:** Cr. T. Laurence  
**SECONDED:** Cr. G. Greco

**THAT** officers report back regarding the safety issues of the viewing area near the goal post area at the Donath Reserve Oval.

**CARRIED**

**9.8** **PROPOSED STREET CALMING TREATMENTS -  
CLARENDON STREET THORNBURY**

*In submitting this item, Cr. Tsitas tabled copies of earlier emails from and to a Thornbury resident regarding the matter.*

## MINUTE NO. 71

**COUNCIL RESOLUTION**

**MOVED:** Cr. S. Tsitas  
**SECONDED:** Cr. T. McCarthy

**THAT** Council consult with the residents of Clarendon Street, Thornbury about modifying the street calming treatments in front of 102, 103, 104, 105, 106, 107, 108, 109 and 110 Clarendon Street.

**CARRIED**

## 10. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

### CLOSE OF MEETING

**MOVED:** Cr. S. Chiang  
**SECONDED:** Cr. T. Laurence

**THAT** in accordance with section 89(2) of the Local Government Act 1989, Council resolves to close the meeting to members of the public to consider the following items which relate to contractual matters and personnel matters:

- 10.1 Right of Way (Road) Discontinuance adjoining 31 Jessie Street, Northcote
- 10.2 Award of Tender for Natural Gas Contract
- 10.3 Position of Chief Executive Officer.

**CARRIED**

The meeting was closed to members of the public at 8.12pm.

*The Council considered and resolved on Report Item 10.1 (Right of Way (Road) Discontinuance adjoining 31 Jessie Street, Northcote), Report Item 10.2 (Award of Tender for Natural Gas Contract), and Report Item 10.3 (Position of Chief Executive Officer), which had been circulated to Councillors on Thursday 11 February 2010 with the Council Agenda Paper.*

*During the closed meeting, Cr. Tsitas disclosed a conflict of interest in Item 10.1 ((Right of Way (Road) Discontinuance adjoining 31 Jessie Street, Northcote) and left the meeting while the matter was considered.*

### RE-OPENING OF MEETING

**MOVED:** Cr. D. Asmar  
**SECONDED:** Cr. S. Tsitas

**THAT** the meeting be re-opened to the members of the public.

**CARRIED**

The meeting was re-opened to members of the public at 8.20pm.

*(When the meeting was re-opened, all Officers except the Director Corporate Services, Bruce Dobson, and the Manager Corporate Governance, Ray McQuillen, had left the meeting)*

**CONFIDENTIAL****10.1 RIGHT OF WAY (ROAD) DISCONTINUANCE ADJOINING 31  
JESSIE STREET, NORTHCOTE**

MINUTE NO. 72

**AUTHOR:** Property Officer – Kristie Berry**MANAGER:** Director Infrastructure – Geoff Glynn**BUDGET****IMPLICATIONS:** Net income from this project during 2009/2010 is estimated at  
\$59,670**SUMMARY:**

This report recommends that Council commence the statutory procedures for the discontinuance and sale of a 2.4m wide section of the 6.40m wide road adjoining 31 Jessie Street, Northcote, and to also consider a departure from its policy guidelines in regard to the sale of the land from the road.

**CONSULTATION:**

Macquarie Lawyers and Strategists  
Owners of adjoining properties and their legal representatives  
Statutory Authorities and Council Departments

**RECOMMENDATION**

**THAT** the Council Resolution be made available to the public but the report remain confidential.

**COUNCIL RESOLUTION****MOVED:** Cr. S. Chiang**SECONDED:** Cr. D. Asmar

**THAT** the following Council Resolution:

*“That Council:*

- (1) *Commence the statutory procedures under section 206 and clause 3 of Schedule 10 to the Local Government Act 1989 (“the Act”) to discontinue the 2.4m wide section of road adjoining 31 Jessie Street, Northcote, shown hatched on the plan attached as **Appendix A**.*

- (2) *Give public notice under sections 207A and 223 of the Act of the proposed discontinuance in the appropriate newspapers and such notice state that if discontinued, Council proposes to sell the land from the road.*
- (3) *Agree to depart from its policy guidelines and authorise the Director Infrastructure to negotiate and finalise the sale of the land from the road, if discontinued, to the owners of 31 Jessie Street, Northcote, for the sum of \$68,062.50 (inc GST)."*

be made available to the public but the report remain confidential.

**CARRIED**

**CONFIDENTIAL****10.2 AWARD OF TENDER FOR NATURAL GAS CONTRACT****MINUTE NO. 73**

**AUTHOR:** Executive Manager Environmental Sustainability - Libby Hynes

**MANAGER:** Chief Executive Officer - Michael Ulbrick

**BUDGET**

**IMPLICATIONS:** Outlined in the report.

**SUMMARY:**

In October 2009, Darebin City Council and over 50 other Victorian Councils and authorities appointed Strategic Purchasing as agent to invite tenders for the supply of natural gas. AGL Sales Pty Ltd and Origin Energy submitted tenders for consideration.

This report outlines the tender outcomes and provides a recommendation on the awarding of the contract.

**CONSULTATION:**

Executive Management Team  
Chief Financial Officer  
Environmental Strategy Coordinator  
Coordinator, Procurement & Contracting  
Strategic Purchasing

**RECOMMENDATION**

**THAT** the Council Resolution be made available to the public but the report remain confidential.



**COUNCIL RESOLUTION**

**MOVED:** Cr. S. Chiang  
**SECONDED:** Cr. T. Laurence

**THAT** the following Council Resolution:

*“That:*

- (1) *Council, conditional upon a satisfactory contract being agreed by the parties, award the Contract for the Natural Gas Supply to AGL Sales Pty Ltd at the rates outlined in this report and attachments to the report for a period of 4 years from 1 April 2010 to 31 March 2014.*
- (2) *Council delegate the signing of contracts to the Executive Manager Environmental Sustainability.”*

be made available to the public but the report remain confidential.

**CARRIED**

**CONFIDENTIAL****10.3 POSITION OF CHIEF EXECUTIVE OFFICER****MINUTE NO. 74****AUTHOR: Manager Corporate Governance – Ray McQuillen****MANAGER: Director Corporate Services – Bruce Dobson****BUDGET****IMPLICATIONS: Outlined in the report****SUMMARY:**

At the Council meeting on 1 February 2010, the Council endorsed a process and timetable for the recruitment of a Chief Executive Officer.

The current Chief Executive Officer, Mr Michael Ulbrick has indicated that he intends to leave the position of Chief Executive Officer shortly and appropriate interim arrangements need to be put in place.

This report presents procedural recommendations for consideration by the Council.

**CONSULTATION:**

Mayor, Cr Vince Fontana  
Chief Executive Officer  
Manager Organisation Development

**RECOMMENDATION**

**THAT** the Council Resolution and the report remain confidential.

**COUNCIL RESOLUTION****MOVED: Cr. D. Asmar****SECONDED: Cr. N. Katsis****THAT:**

- (1) The report submitted as confidential business and the associated Council Resolution remain confidential.
- (2) Council notes that Mr Michael Ulbrick intends to resign from the position of Chief Executive Officer effective at the close of business on 26 February 2010.

- (3) Ms Jan Black be appointed as Acting Chief Executive Officer for the period from 27 February 2010 to the commencement of employment of a new Chief Executive Officer.”

**CARRIED**

## **11. CLOSE OF MEETING**

The Council meeting closed at 8.21pm.